

PATENT COOPERATION TREATY

REC'D 09 MAR 2006

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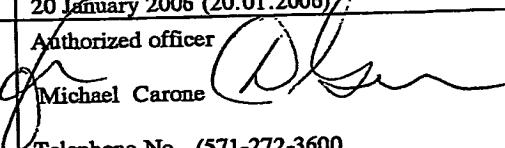
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INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

(Chapter II of the Patent Cooperation Treaty)

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference 16044/109112		FOR FURTHER ACTION	See Form PCT/IPEA/416
International application No. PCT/US04/03760		International filing date (day/month/year) 10 February 2004 (10.02.2004)	Priority date (day/month/year) 05 August 2003 (05.08.2003)
International Patent Classification (IPC) or national classification and IPC IPC(7): F 41 A 29/00 and US Cl.: 42/94, 72; 89/1.42			
Applicant R/M EQUIPMENT, INC.			
<p>1. This report is the international preliminary examination report, established by this International Preliminary Examining Authority under Article 35 and transmitted to the applicant according to Article 36.</p> <p>2. This REPORT consists of a total of 3 sheets, including this cover sheet.</p> <p>3. This report is also accompanied by ANNEXES, comprising:</p> <p>a. <input type="checkbox"/> (sent to the applicant and to the International Bureau) a total of ___ sheets, as follows:</p> <p><input type="checkbox"/> sheets of the description, claims and/or drawings which have been amended and are the basis of this report and/or sheets containing rectifications authorized by this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions).</p> <p><input type="checkbox"/> sheets which supersede earlier sheets, but which this Authority considers contain an amendment that goes beyond the disclosure in the international application as filed, as indicated in item 4 of Box No. I and the Supplemental Box.</p> <p>b. <input type="checkbox"/> (sent to the International Bureau only) a total of (indicate type and number of electronic carrier(s)) ___ , containing a sequence listing and/or tables related thereto, in computer readable form only, as indicated in the Supplemental Box Relating to Sequence Listing (see Section 802 of the Administrative Instructions).</p> <p>4. This report contains indications relating to the following items:</p> <ul style="list-style-type: none"> <input checked="" type="checkbox"/> Box No. I Basis of the report <input type="checkbox"/> Box No. II Priority <input type="checkbox"/> Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability <input type="checkbox"/> Box No. IV Lack of unity of invention <input checked="" type="checkbox"/> Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement <input type="checkbox"/> Box No. VI Certain documents cited <input type="checkbox"/> Box No. VII Certain defects in the international application <input type="checkbox"/> Box No. VIII Certain observations on the international application 			
Date of submission of the demand 03 March 2003 (03.03.2003)		Date of completion of this report 20 January 2006 (20.01.2006)	
Name and mailing address of the IPEA/ US Mail Stop PCT, Attn: IPEA/US Commissioner for Patents P.O. Box 1450 Alexandria, Virginia 22313-1450 Facsimile No. (571) 272-3201		Authorized officer  Michael Carone Telephone No. (571-272-3600)	

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.

PCT/US04/03760

Box No. I Basis of the report

1. With regard to the language, this report is based on the international application in the language in which it was filed, unless otherwise indicated under this item.

This report is based on translations from the original language into the following language _____, which is the language of a translation furnished for the purposes of:

- international search (under Rules 12.3 and 23.1(b))
- publication of the international application (under Rule 12.4)
- international preliminary examination (under Rules 55.2 and/or 55.3)

2. With regard to the elements of the international application, this report is based on (*replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report*):

the international application as originally filed/furnished

the description:

pages 1-45 as originally filed/furnished

pages* _____ received by this Authority on _____

pages* _____ received by this Authority on _____

the claims:

pages 46-51 as originally filed/furnished

pages* _____ as amended (together with any statement) under Article 19

pages* _____ received by this Authority on _____

pages* _____ received by this Authority on _____

the drawings:

pages 1-16 as originally filed/furnished

pages* _____ received by this Authority on _____

pages* _____ received by this Authority on _____

a sequence listing and/or any related table(s) - see Supplemental Box Relating to Sequence Listing.

3. The amendments have resulted in the cancellation of:

the description, pages _____

the claims, Nos. _____

the drawings, sheets/figs _____

the sequence listing (*specify*): _____

any table(s) related to the sequence listing (*specify*): _____

4. This report has been established as if (some of) the amendments annexed to this report and listed below had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).

the description, pages _____

the claims, Nos. _____

the drawings, sheets/figs _____

the sequence listing (*specify*): _____

any table(s) related to the sequence listing (*specify*): _____

* If item 4 applies, some or all of those sheets may be marked "superseded."

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.
PCT/US04/03760

Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Claims <u>7-21, 29-34, 37, 38</u>	YES
	Claims <u>1-6, 22-28, 35, 36</u>	NO
Inventive Step (IS)	Claims <u>29-34</u>	YES
	Claims <u>1-28, 35-38</u>	NO
Industrial Applicability (IA)	Claims <u>1-38</u>	YES
	Claims <u>NONE</u>	NO

2. Citations and Explanations (Rule 70.7)

Claims 1-6, 22-28, 35, and 36 lack novelty under PCT Article 33(2) as being anticipated by Davies (US Patent # 2, 826, 848). Davies discloses the claimed weapon grip for supporting a forward portion of a weapon comprising a clamp base, a portion of the clamp base being received by a handle, and clamps supported upon the clamp base for pivot motion for grasping the forward portion of the weapon.

Claims 7-9, 37 and 38 lack an inventive step under PCT Article 33(3) as being obvious over the prior art as applied in the immediately preceding paragraph and further in view of Lin et al. (US Patent # 6,438,888). Davies discloses the claimed weapon grip except for the clamps comprising a rail-receiving surface for engaging a lateral edge of a rail of a forward portion of a weapon. Lin et al. teaches a fixture for clipping accessories on a weapon wherein the clamps comprise a rail-receiving surface. The motivation to combine the rail-receiving surface as taught by Lin et al. with the weapon grip as taught by Davies would have been to obtain a more versatile hand hold for weapons.

Claims 12-21 lack an inventive step under PCT Article 33(3) as being obvious over the prior art as applied in the immediately preceding paragraph and further in view of Lochhead (US Patent # 2,360,881). Lochhead teaches utilizing the space inside a weapon grip for storage space. It would have been obvious to combine the storage space as taught by Lochhead with the weapon grip as taught by Davies and Lin et al in order to obtain a space to carry tools for the weapon.

Claims 29-34 meet the criteria set out in PCT Article 33(2)-(3), because the prior art does not teach or fairly suggest the claimed weapon grip assembly set out above and in the claims and further including a mandrel interposed between the handle and the clamps wherein the mandrel is axially translatable upon the post of the clamp base.

Claims 1-38 meet the criteria set out in PCT Article 33(4), and thus have industrial applicability because the subject matter claimed can be made or used in industry.

PATENT COOPERATION TREATY

From the
INTERNATIONAL PRELIMINARY EXAMINING AUTHORITY

PCT

COMMUNICATION IN CASES FOR WHICH
NO OTHER FORM IS APPLICABLE

To: RICHARD C. STEMPKOVSKI JR. NAWROCKI, ROONEY & SIVERTSON, P.A. SUITE 401, BROADWAY PLACE EAST 3433 BROADWAY STREET NE MINNEAPOLIS, MN 55413

Date of mailing (day/month/year)	06 MAR 2006
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Applicant's or agent's file reference 16044/109112	REPLY DUE See paragraph 1 below
International application No. PCT/US04/03760	International filing date (day/month/year) 10 February 2004 (10.02.2004)
Applicant R/M EQUIPMENT, INC.	

1. REPLY DUE within ____ months/days from the above date of mailing

NO REPLY DUE

2. COMMUNICATION:

The Article 34 Amendment has not been entered because it is not in the proper form of submitting substitute sheets.

Name and mailing address of the IPEA/ US Mail Stop PCT, Attn: IPEA/US Commissioner for Patents P.O. Box 1450 Alexandria, Virginia 22313-1450 Facsimile No. (571) 273-3201	Authorized officer Michael Carone Telephone No. (571) 272-3600
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